

### **REMARKS**

Applicants have carefully reviewed the Application in light of the Advisory Action mailed October 27, 2003. At the time of the Advisory Action, Claims 1-29 were pending in the present application. The Examiner rejects Claims 1-29. Claims 1, 4-5, 10, 13, 18, 21, and 24-25 have been amended. Claims 2-3, 12, 19, and 22-23 have been cancelled. For the reasons set forth below, Applicants believe that all pending claims are allowable over the cited references.

#### **Rejections Under §103**

The Examiner rejects Claims 1-2, 5, 7-13, 15-25, and 27-29 under 35 U.S.C. §103(a) as being obvious over U.S. Patent 6,449,269 issued to Edholm ("*Edholm*") in view of U.S. Patent No. 5,884,025 issued to Baehr, et al. ("*Baehr*"). In addition, the Examiner rejects Claims 6, 14, and 26 under 35 U.S.C. 103(a) as being obvious over *Edholm* in view of *Baehr*, and further in view of U.S. Patent No. 5,896,379 issued to Haber ("*Haber*").

Furthermore, the Examiner rejects Claims 1-4, 7-10, 12-13, 15-24, and 27-29 under 35 U.S.C. §103(a) as being obvious over U.S. Patent 6,456,615 issued to Kilkinis ("*Kilkinis*"). In addition, the Examiner rejects Claims 6, 14, and 26 under 35 U.S.C. 103(a) as being obvious over *Kilkinis* and further in view of *Haber*. The Examiner also rejects Claims 5, 11, and 25 under 35 U.S.C. 103(a) as being obvious over *Kilkinis* and further in view of *Edholm*.

*Baehr* recites a system for screening data packets transmitted between a private network to be protected and a public network. (*Baehr*, Abstract). The screening system includes a packet filtering subsystem, which determines what actions should be taken on the packet. (*Baehr*, Col. 2; Lines 18-22). Packets received by the screening system are filtered based upon their contents and other criteria, such as their source and destination locations. (*Baehr*, Abstract). The screening system is not a router and *does not have its own IP address*. (*Baehr*, Col. 2; Lines 32-36, emphasis added). Therefore, packets are processed by the screening system *transparently*. (*Baehr*, Abstract, emphasis added).

*Edholm* recites a connectionless base protocol that is leveraged to transfer streaming voice to a destination telephony device. (*Edholm*, Abstract). An IP telephone is provided having a controller and memory to specify a destination IP address. (*Edholm*, Col. 2; Lines 33-

35). The IP telephone also includes a packetizer connected to the controller to packetize outbound voice signals. (*Edholm*, Col. 2; Lines 35-39). The system includes a phone server that receives control information and acts as an intermediary that is *transparent* to the destination telephony device. (*Edholm*, Col. 3; Lines 18-28, emphasis added).

*Kilkinis* recites a bridge between communication networks operable to dynamically convert data between Data Network Telephony (DNT) calls and Connection Oriented/Switched Telephony (COST) calls. (*Kilkinis*, Abstract). The bridge can extract a COST telephone number from the IP address or other header information in an incoming IP telephone call from a call center. (*Kilkinis*, Col. 10; Lines 53-55). The coded portion of the IP address may contain an entire COST telephone number or a key to allow look-up of an associated COST phone number in a stored data table. (*Kilkinis*, Col. 10; Lines 55-59). The bridge may be connected between more than two communication networks (*Kilkinis*, Col. 9; Lines 43-45).

Amended Claim 1 of the present application recites the following:

A method for providing a virtual telephony intermediary between a first telephony device and a second telephony device, comprising:  
    associating a first logical port of the virtual telephony intermediary with the first telephony device;  
    associating a second logical port of the virtual telephony intermediary with the second telephony device;  
    receiving telecommunication data in a payload section of a packet sent from a first telephony device at the second logical port of the virtual telephony intermediary;  
    manipulating the telecommunication data received from the first telephony device;  
    modifying source address information associated with telecommunication data received at the second logical port from the first telephony device to specify the first logical port of the virtual telephony intermediary; and  
    communicating the manipulated telecommunication data with the modified source address information to the second telephony device.

Amended Claims 10, 18, and 21 recites similar, although not identical, limitations.

**Claims 1, 10, 18, and 21 are Allowable Over *Kilkinis* and *Edholm/Baehr***

Claim 1, as amended, incorporates the limitations previously found in Claim 2. Amended Claim 1 recites a first logical port associated with a first telephony device and a second logical port associated with a second telephony device. Independent claims 10, 18, and 21, as amended, incorporate the limitations of Claims 12, 19, and 22, respectively, and recite similar, although not identical, limitations. With respect to cancelled Claim 2, the Examiner states that *Baehr* discloses a port or network interface for each of the two networks. (Office Action mailed 7/21/03, page 3, ¶1, citing *Baehr*, Col. 2; Lines 15+). While *Baehr* may disclose a "screen" having ports or interfaces for connecting the screen between two networks, the reference fails to disclose *logical* ports. For example, a logical port, as used in one embodiment of the present application, is a port of an IP address. (e.g., Specification, Page 18, Lines 24-27). *Baehr* fails to teach a logical port, and thus fails to teach associating logical ports with particular devices. In fact, *Baehr* specifically states that is "screen" preferably does not even have an IP address or other network address and that it is configured to not respond to IP requests. (*Baehr*, Col. 6; Lines 9-12).

In addition, *Kilkinis* also fails to disclose logical ports. The Examiner notes that *Kilkinis* recites a "bridge" between two communications networks. (Office Action mailed July 21, 2003, page 5, ¶3). However, *Kilkinis* fails to disclose logical ports. The mere fact that the *Kilkinis* bridge apparatus can be connected between communication networks does not disclose that the bridge has a first logical port associated with a first telephony device and a second logical port associated with a second telephony device, as recited in amended Claim 1.

Furthermore, Claim 1, as amended, incorporates the limitations previously found in Claim 3. Amended Claim 1 recites "modifying source address information associated with telecommunications data received at the second logical port from the first telephony device to specify the first logical port of the virtual telephony intermediary." Independent Claims 10, 18, and 21, as amended incorporate the limitations of Claims 12, 19, and 23, respectively, and recite similar, although not identical, limitations.

With respect to cancelled Claim 3, the Examiner indicates that *Kilkinis* modifies telecommunications data in the same manner as the present application. (Office Action mailed 7/21/03, page 5, ¶3, citing *Kilkinis*, Col. 6; Lines 1+; and Col. 9, Lines 50 to Col. 10, Line 50+). While *Kilkinis* does disclose that data is converted between the COST format and the DNT

format, as discussed above, *Kilkinis* fails to disclose logical ports, let alone "modifying source address information associated with telecommunications data received at the second logical port from the first telephony device to specify the first logical port of the virtual telephony intermediary," as recited in Claim 1, and similarly although not identically, in Claims 10, 18, and 21.

For at least these reasons, Claims 1, 10, 18, and 21 are allowable over the cited references. Therefore, Applicants respectfully request reconsideration and allowance of Claims 1, 10, 18, and 21 and all claims that depend from those claims.

**Claim 20 is Allowable Over *Kilkinis* and *Edholm/Baehr***

Claim 20 recites, in part, a call manager operable to "generate the virtual telephony intermediary." With respect to *Baehr*, the Examiner states that "the connections shown in Figure 6 of *Baehr* are typically formed by managers that operate under the control of controllers such as that shown in Figure 3 of *Edholm*, member 314 (a controller). (Office Action mailed 7/21/03, page 4, ¶1). While *Baehr* may indicate connections between networks, *Baehr* and *Edholm* fail to disclose that a call manager generates the virtual telephony intermediary, as recited in Claim 20. As disclosed in the present application, "when an intermediary is needed between telephony devices for any of the reasons described, call manager 26a (or any other device having virtual telephony intermediary software, firmware, and/or hardware) generates virtual telephony intermediary 28, and virtual telephony intermediary 28 establishes a connection link between the telephony devices." (Specification, Page 20; Lines 10-17). *Baehr* fails to disclose that its screening system is generated when needed, as recited in the present application. In addition, as conceded by the Examiner, *Edholm* fails to teach the use of a virtual telephony intermediary between telephony devices. (Office Action mailed 7/21/03, page 2, ¶2). Consequently, *Edholm* fails to disclose a call manager that is operable to generate a virtual telephony intermediary, as recited in Claim 20.

Furthermore, the Examiner indicates that *Kilkinis* discloses generating a virtual telephony intermediary. (Office Action mailed 7/21/03, page 5, ¶3, stating that member 63 (modem) of Figure 2 and 3 acts in conjunction with members 61 (modem) and 29 (data router)). However, *Kilkinis* fails to disclose that a virtual telephony intermediary is generated.

For at least this additional reason (in addition to its dependence on Claim 18), Claim 20 is allowable over the cited references. Therefore, Applicants respectfully request reconsideration and allowance of Claim 20.

**Claims 4-9, 11, 13-17, and 24-29 are Allowable Over the Cited References**

Claims 4, 7-9, 13, 15-17, 24, and 27-29 were rejected under 35 U.S.C. §103(a) as being obvious over *Kilkinis*. Claims 5, 7-9, 11, 13, 15-17, 24-25, and 27-29 were rejected under 35 U.S.C. §103(a) as being obvious over *Edholm* in view of *Baehr*. Claims 6, 14, and 26 were rejected under 35 U.S.C. §103(a) as being obvious over *Kilkinis* in view of *Haber* and also rejected under 35 U.S.C. §103(a) as being obvious over *Edholm* in view of *Baehr* and further in view of *Haber*. Claims 5, 11, and 25 were rejected under 35 U.S.C. §103(a) as being obvious over *Kilkinis* in view of *Edholm*.

Claims 4-9 incorporate all of the limitations of Claim 1, which has been shown to be allowable for the reasons stated above. In addition, Claims 11 and 13-17 incorporate all of the limitations of Claim 10, which has been shown to be allowable for the reasons stated above. Furthermore, Claims 24-29 incorporate all of the limitations of Claim 21, which has been shown to be allowable for the reasons stated above. Therefore, Applicants respectfully request reconsideration and allowance of Claims 4-9, 11, 13-17, and 24-29, as they depend on allowable base claims.

**CONCLUSION**

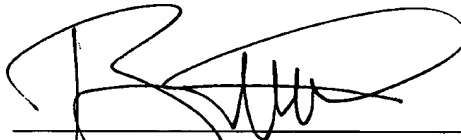
Applicants have made an earnest attempt to place this application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

Applicant submits herewith a check in the amount of \$770.00 to satisfy the request for continued examination fee of 37 C.F.R. §1.17(e), and a check for \$110.00 to cover the one month Extension of Time fee. The Commissioner is hereby authorized to charge additional fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

Respectfully submitted,

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